

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the	)	
relation of State Engineer,	)	
	)	
Plaintiff,	)	
	)	69cv07941-BB-ACE
-v-	)	
	)	RIO CHAMA STREAM SYSTEM
RAMON ARAGON et al.,	)	
	)	Sections 3, 5, and 7
Defendants.	)	
_____	)	

ORDER SETTING STATUS CONFERENCE

THIS MATTER is before the Special Master to guide the course of the Rio Chama Stream System adjudication and pursuant to the Administrative Order Setting Status Conferences, entered September 21, 2004 (Docket No. 4601).

A status conference is set for Tuesday, December 14, 2004, at 9:30 a.m., in the Jury Assembly Room of the United States District Court, 130 South Federal Place, Santa Fe, NM.

The following matters will be discussed:

1. The general status of the adjudication of Sections 3, 5 and 7, by counsel for the State of New Mexico, ex rel. State Engineer (State).
2. The status of the federal non-Indian claims water rights claims brought by the United States of America (United States) in Section 3, Rio Nutrias, Rio Cebolla and Canjilon Creek (see, December 11, 2000, Procedural Order for the Adjudication of Section 3 Federal Non-Indian Claims, as amended August 28, 2002), and Section 5 (see, May 8, 2000, Order Adopting Initial Procedures for the Adjudication of the Federal Non-Indian Claims in the Rio Gallina Section, February 5, 2001,

Order Granting United States' Motion to Vacate Deadline for Filing Amended Claims, and February 12, 2001, Statement by the State of New Mexico).

Counsel for the State and United States shall be prepared with a proposed scheduling and procedural order for resolving these claims and all other outstanding federal, non-Indian claims in Sections 3, 5 and 7.

3. A proposed scheduling and procedural order for framing the Office of the State Engineer's position on consumptive irrigation requirements (duty) in the Rio Chama Stream System, prepared by counsel for the State.

4. A proposed scheduling order for the resolution of errors and omissions claims in Section 2, Ojo Caliente, prepared by counsel for the acequias.

5. The status of the adjudication of the state law-based rights of the Jicarilla Apache Nation, and any required scheduling and procedural orders, prepared by counsel for the Jicarilla Apache Nation.

6. The status of the historical reports for Sections 3 and 7 which are scheduled to be completed and exchanged in 2004 pursuant to the August 26 Order Adopting Priorities Adjudication Schedule, by counsel for the State and for Sections 3 and 7 acequia associations.

7. The status of the litigation on the remaining Rio Brazos disputed subfiles, CHRB-002-0001 and -0002, and any necessary amendments to the March 8, 2004, Pretrial Order, as amended. Counsel for the State is directed to serve this Order on the Joe and Rosina Garcia Revokable Trust.

8. Matters which should be included in the next status conference set for Thursday, February 10, 2005, and to be held in the Chama area.

Attendance by parties involved in the matters listed above is mandatory. Attendance by any other party is optional. Additional matters for discussion on December 14 should be brought to the Special Master's attention no later than December 1, 2004 so that a Supplemental Order may be entered.

IT IS SO ORDERED.

/electronic signature/  
SPECIAL MASTER VICKIE L. GABIN